

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

STEVEN D. KIDERLEN,)
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Petitioner,)
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v.) No. 4:08CV637 RWS
)
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TROY STEELE,)
)
)
Respondent.)

MEMORANDUM AND ORDER

This matter is before the Court on petitioner's motion for reconsideration and motion for preliminary injunction. The motions will be denied because they contain only frivolous arguments and assertions. Additionally, the Court has reviewed the petition and will dismiss it pursuant to Rule 4 of the Rules Governing § 2254 cases.

Petitioner argues in his petition for writ of habeas corpus that his detention is illegal because he is a "sovereign" and because the United States and the State of Missouri do not have criminal jurisdiction outside of the District of Columbia. These arguments are reiterated in petitioner's pending motions. These arguments are patently frivolous. C.f., Crain v. Comm'r of Internal Revenue, 737 F.2d 1417, 1417-18 (5th Cir. 1984) (rejecting as "frivolous" plaintiff's argument that IRS did not have jurisdiction to levy taxes). As a result, the Court will dismiss the petition with prejudice. See Rule 4 of the Rules Governing § 2254 cases (mandating *sua sponte*

dismissal of habeas petition where it is clear from the face of the petition that the petitioner is not entitled to relief).

Accordingly,

IT IS HEREBY ORDERED that the Case Management Order dated May 23, 2008, is **VACATED**.

IT IS FURTHER ORDERED that petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED** with prejudice.

IT IS FURTHER ORDERED that all pending motions are **DENIED** as moot.

An Order of Dismissal shall accompany this Memorandum and Order.

Dated this 25th day of June, 2008.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE